

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
KEVIN J. JUDGE,

Plaintiff,

- against -

NEW YORK CITY POLICE DEPARTMENT, CITY OF
NEW YORK

Defendants.
-----X

NOTICE OF MOTION

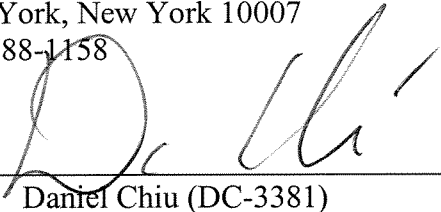
05 Civ. 2440 (JSR)(RLE)

PLEASE TAKE NOTICE that, upon the annexed declarations of Deputy Inspector Scott Hanover, dated August 31, 2006 and Daniel Chiu, dated September 1, 2006, and upon all the prior proceedings had herein, Defendants New York City Police Department and the City of New York, will move this Court before the Honorable Ronald L. Ellis, United States Magistrate Judge for the United States District Court for the Southern District of New York, at the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York, for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure for summary judgment in Defendants' favor as to all claims of Plaintiff and for such other and further relief as to this Court seems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's August 15, 2006 Order, answering papers shall be served and filed by October 13, 2006.

Dated: New York, New York
September 1, 2006

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for Defendants
100 Church Street, Room 2-170
New York, New York 10007
212-788-1158

By: 
Daniel Chiu (DC-3381)
Assistant Corporation Counsel

To: Kevin J. Judge, *pro se*
345 Webster Avenue, Apt. 2N
Brooklyn, New York 11230
718-853-1932

CERTIFICATION OF SERVICE

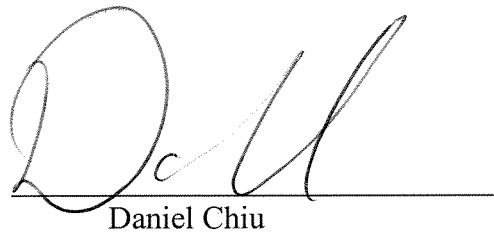
I, Daniel Chiu, hereby certify that:

On September 1, 2006, I served the annexed Notice of Motion by depositing a true and correct copy, into the custody of United Parcel Service, in an enclosed package marked for overnight delivery, addressed to:

Kevin J. Judge, *pro se*
345 Webster Avenue
Brooklyn, New York 11230

I certify under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
September 1, 2006



Daniel Chiu